

COPY FOR IB
PATENT COOPERATION TREATY
PCT

PCT/KR2003/002231

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

REC'D 29 MAR 2005

WIPO PCT

Applicant's or agent's file reference 3FPO-09-10	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/KR2003/002231	International filing date (day/month/year) 22 OCTOBER 2003 (22.10.2003)	Priority date (day/month/year) 22 OCTOBER 2002 (22.10.2002)
International Patent Classification (IPC) or national classification and IPC IPC7 C07D 307/56		
Applicant OSCOTEC INC. et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 16 MARCH 2004 (16.03.2004)	Date of completion of this report 15 FEBRUARY 2005 (15.02.2005)
Name and mailing address of the IPEA/KR  Korean Intellectual Property Office 920 Dunsan-dong, Seo-gu, Daejeon 302-701, Republic of Korea Facsimile No. 82-42-472-7140	Authorized officer LIM, Hea Joon  Telephone No. 82-42-481-5600

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/002231

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement) under Article 19
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

- These elements were available or furnished to this Authority in the following language _____ which is
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed." and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item I and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION

International application No.

PCT/KR2003/002231

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-2, 3-4, 5	YES
	Claims		NO
Inventive step (IS)	Claims	1-2, 3-4, 5	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-2, 3-4, 5	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1) The following document have been considered for the purpose of this report:

D1= US 3778512 A 1973 (Velsicol Chemical Corporation)

D2= US 3352663 A 1967 (Schering)

D1 discloses N-3'-chlorophenyl-N-methoxy-2-furan-carboxamide having utility in the control of fungi.

D2 discloses furanoylaniline which are potent and active herbicidal agents, and more particularly to selective herbicides.

2) Novelty

Claims 1-2, 3-4, 5 relate to a furan derivatives for preventing curing osteoporosis and pharmaceutical composition containing the same, which contains aminocarbonyloxymethyl at 5 position and carboxyaldehyde at 2 position.

Document D1 discloses N-3'-chlorophenyl-N-methoxy-2-furan-carboxamide, which is differed in 2 position of furan ring. Also, D2 discloses furanoylaniline, which does not have any substitution at 2 position.

Since claims 1-2, 3-4, 5 in this invention is differed in substituted group at the 2 or 5 position of furan ring of D1 and D2, claims 1-2, 3-4, 5 are considered to be novel.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/KR2003/002231

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of:

3) Inventive Step

Document D1 is considered to represent the most relevant state of the art before the priority date of the present application.

The subject matter of this invention is to stimulate formation and activity of osteoblasts, as well as inhibiting and formation and activity of osteoblasts. D1 and D2 discloses the furan derivatives which have the utilities such as the control of fungi or potent and active herbicidal agents. It would not have been obvious to a person skilled in the art to modify carboxamide substituents of into the same as the present invention such as carbonyl acid methyl ester etc.. Such a change leads to the present invention to have a new utility, curing osteoporosis, which is surprising.

Therefore, the subject-matter of claims 1-2, 3-4, 5 in this invention appear to involve an inventive step.

4) Industrial applicability

The subject matter of claim 1-2, 3-4, 5 is considered to be industrially applicable.